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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/684,382	10/15/2003	Alfons Ziegler	2001P07203WOUS	4467
28204 7590 06/25/2007 SIEMENS SCHWEIZ AG I-47, INTELLECTUAL PROPERTY ALBISRIEDERSTRASSE 245 ZURICH, CH-8047 SWITZERLAND			EXAMINER WAI, ERIC CHARLES	
			ART UNIT 2195	PAPER NUMBER
			MAIL DATE 06/25/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/684,382	Applicant(s) ZIEGLER, ALFONS	
	Examiner Eric C. Wai	Art Unit 2195	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 May 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☒ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>04/08/2004, 03/08/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION**

1. Claims 1-7 are presented for examination in Preliminary Amendment dated 05/13/2004.

***Priority***

2. Applicant is requested to file priority documents. While the application file contains a copy of European patent application 01 109 969.4 filed 04/24/2001, no English translation of any portion of EPO application is provided.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
4. Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - a. The following terms are not clearly understood:
    - i. Claim 1, line 9 recites, "the individual peripheral unit". It is unclear whether this is the same or different from "a peripheral unit" in line 8.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gehrig (US Pat No. 5,937,358) in view of Felt (US Pat No. 6,128,742).

7. Felt was disclosed on IDS dated 03/08/2004.

8. Regarding claim 1, Gehrig teaches a method for processing of information that is transmitted in a wireless communication between centers and peripheral units of a traffic control system (col 1 lines 14-16), whereby first information units are communicated from at least one central unit to the peripheral units (col 1 lines 24-28), and communication between individual peripheral units may be established for second information units (col 1 lines 24-28).

9. Gehrig does not teach processing a second information unit of a peripheral unit is processed as a priority between the individual peripheral units, if the individual peripheral unit has previously received a key code transmitted with the first information unit and the key code corresponds to another key code contained in the second information unit.

10. Felt discloses an authentication method using password sets in which a password is provided to both a first party and second party (col 1 lines 56-58). A

Art Unit: 2195

message encoded with the password can be transmitted from the first party to a second party and authenticated as being authentic (col 1 lines 60-65).

11. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of Felt with the traffic control system of Gehrig. Gehrig's system is composed of many devices that use wireless radio transmissions. One would be motivated by the desire to secure the system of Gehrig from threats of unauthorized users as taught by Felt (col 1 lines 12-16). Both Gehrig and Felt seek to improve the administration of networked devices and therefore are in the same field of invention

12. Regarding claim 2, Gehrig teaches that communication between individual peripheral units takes place on a different frequency than the frequency that is used for communication between at least one central unit and the peripheral units (col 1 lines 24-28).

13. Regarding claim 3, Gehrig teaches that communication between the individual peripheral units takes place in the infrared range (col 1 lines 42-44).

14. Regarding claim 4, Gehrig and Felt do not teach that the communication between the individual peripheral units takes place on the same frequency as is used for communication between at least one central unit and the peripheral units, but that the transmitter power for the communication between the individual peripheral units is

Art Unit: 2195

reduced to such an extent that the range is limited to the immediate environment of a peripheral unit.

15. It would have been obvious to one of ordinary skill in the art at the time of the invention to include transmitting on the same frequency when communicating with both the central unit and peripheral units. One would be motivated by the desire to reduce the complexity of the radio used in the devices.

16. Regarding claim 5-6, Gehrig and Felt do not teach using information that specifies the type of prioritized processing.

17. It is well known in the art to implement quality of service (QOS) protocols for processing of messages. One would be motivated by the desire to ensure that a desired level of effort is made in the networked computer system of Gehrig and Felt.

18. Regarding claim 7, Gehrig and Felt do not teach that after a prioritized processing has been completed, the key code in the relevant peripheral unit is expended.

19. Felt does teach modifying the password set each time (col 2 lines 35-53). It would have been obvious to one of ordinary skill in the art at the time of the invention to include expending the key code. One would be motivated by the desire to ensure that the key code was not compromised.

Art Unit: 2195


### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric C. Wai whose telephone number is 571-270-1012. The examiner can normally be reached on Mon-Thurs, 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng - Ai An can be reached on 571-272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EW

  
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